

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/522,351
Filing Date: January 26, 2005
Applicant: SIMON, Bruce
Group Art Unit: 1651
Examiner: FERNANDEZ, Susan
Title: METHODS AND COMPOSITIONS FOR
TREATING TISSUE DEFECTS USING PULSED
ELECTROMAGNETIC FIELD STIMULUS
Attorney Docket: 5490E-000292/NPB

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR 3.73(b) AND POWER OF ATTORNEY

Under 37 C.F.R. § 3.73(b), the undersigned hereby states that the below-named Assignee is an assignee in the above-identified Application:

Assignee: EBI, L.P.
100 Interpace Parkway
Parsippany, New Jersey 07054

The documentary evidence of a chain of title from the original owner to the Assignee is provided in the Assignment Document(s):

☒ filed herewith,
☐ previously filed,
Reel No. _____, Frame No. _____.

POWER OF ATTORNEY

I hereby appoint David L. Ahlersmeyer, Reg. No. 31,938 and Eric Waldkoetter, Reg. No. 36,713 of Biomet, Inc.; David L. Suter, Reg. No. 30,692, and Stephen J. Foss, Reg. No. 31,251; of Harness, Dickey & Pierce, P.L.C., my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

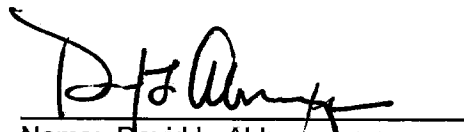
CORRESPONDENCE ADDRESS

I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Customer No. 27572, Harness, Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (248) 641-1600.

The undersigned, whose title is supplied below, is empowered to sign this certificate on behalf of the assignee.

Respectfully submitted,

Date: May 3, 2007


Name: David L. Ahlersmeyer
Title: Vice President of Intellectual Property

ASSIGNMENT

Atty. Docket No. 5490E-000292/NPB
EBI 0891, E-120

The undersigned, hereinafter referred to collectively as Assignor, has an interest in the invention entitled:

METHODS AND COMPOSITIONS FOR TREATING TISSUE DEFECTS USING PULSED ELECTROMAGNETIC FIELD STIMULUS

which is the subject of a United States or International application for patent

- (a) ☐ executed on even date preparatory to filing (each inventor should sign this Assignment on the same day as he/she signs the Declaration and Power of Attorney);
- (b) ☐ executed on _____, _____, _____;
- (c) ☒ filed on January 26, 2005, and assigned Serial No. 10/522,351 or PCT International Application No. _____;
- (d) ☐ U.S. Patent No. _____, issued _____, and
☐ presently assigned as evidenced at Reel _____, Frame _____; or
- (e) ☐ entitled above and naming the undersigned inventors in this provisional patent application; and

EBI, L. P., an Indiana Limited Partnership, having a place of business at 100 Interpace Parkway, Parsippany, New Jersey 07054, hereinafter referred to as Assignee, is desirous of acquiring Assignor's interest therein:

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy whereof is hereby acknowledged, Assignor by these presents does sell, assign and transfer unto Assignee and its successors in interest, the full and exclusive right, title and interest in the United States of America and all foreign countries, including the right to claim priority under the laws of the United States, the Paris Convention, and any foreign countries, to the said invention as described in the aforesaid application, said application for patent and all Letters Patent therefor to be held and enjoyed by Assignee to the full end of the term for which said Letters Patent are granted and any extensions thereof as fully and entirely as the same would have been held by Assignor had this assignment and sale not been made, and the right to recover for past infringements of, or liabilities for, any of the rights relating to any of said applications or patents resulting therefrom;

Assignor hereby covenants and agrees to execute all instruments or documents required or requested for the making and prosecution of any applications of any type for patent in the United States and in all foreign countries including, but not limited to, any provisional, continuation, continuation-in-part, divisional, renewal or substitute thereof, and as to letters patent any reissue, re-examination, or extension thereof, and for litigation regarding, or for the purpose of protecting title and to the said invention, the United States application for patent, or Letters Patent therefor, and to testify in support thereof, for the benefit of Assignee without further or other compensation than that above set forth;

Assignor hereby covenants that no assignment, sale or agreement or encumbrance has been or will be entered into which would conflict with this Assignment; and

Assignor hereby requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States of America to Assignee, and requests that any official of any country or countries foreign to the United States, whose duty it is to issue or grant patents and applications as aforesaid, to issue said Letters Patent, Utility Model Registration or Inventor's Certificate to Assignee.

Assignor hereby authorizes an attorney authorized to prosecute this patent application to insert here in parentheses (Application No. 10/522,351, filed January 26, 2005) the filing date and application number of said application when known.

ASSIGNMENT

Atty. Docket No. 5490E-000292/NPB
EBI 0891, E-120

Bruce Simon
Bruce J. Simon

State of New Jersey)
County of Morris) ss.

On this 2 day of May, 2007, before me personally appeared the foregoing individuals, who executed the foregoing instrument and who acknowledged to me that they executed the same of their own free will for the purpose therein set forth.

Diane Little
Notary Public,

(seal)

Middlesex County, State of New Jersey
My Commission Expires: 12/19/2010